

REMARKS

The Examiner's Advisory Action mailed on June 10, 2004, has been received and its contents carefully considered.

Claims 1-20 are currently pending in this application. Claims 1, 6 and 14 are independent claims. Claims 1 and 6 are amended herein.

In the Final Action dated March 26, 2004, the Examiner indicated that claims 14-20 are allowed, and that claims 2-5 would be allowable if rewritten in independent form to include all the limitations of the base claim (i.e., claim 1) and any intervening claims.

Claims 1, 6 and 9-12 stand rejected under 35 USC §102(e) as being anticipated by Barany (U.S. Patent No. 4,802,214). Claim 13 is rejected by the Examiner under 35 USC §103(a) as being obvious over Barany. Claims 7 and 8 are rejected under 35 USC §103(a) as being obvious over Barany in view of Suzuki et al. (U.S. Patent No. 6,522,665 B1).

Claims 1 and 6 are amended herein to more clearly distinguish over the applied references.

The present invention is directed to a receiving circuit suitable for a radio apparatus operating in a digital communications system using TDMA (time division multiple access), in which burst signals each containing a synchronization pattern and data are received in predetermined time slots (see, generally, application pages 1-2). In contrast, Barany is directed to an in-band television signal scrambling method and apparatus which employs a scrambler which receives and scrambles an analog television signal and one or more descramblers for restoring the scrambled television signal to an unscrambled condition. A tier level encoding scheme is used to identify and render operative predetermined descramblers. The scrambler encodes tier level coding information in the form of whiter-than-white pulses on the scrambled television signal, these pulses being detected by the descramblers with only those descramblers identified by the tier level coding information being rendered operative to unscramble the scrambled television signal (Barany abstract).

It is respectfully submitted that Barany fails entirely to teach or suggest "a radio signal in a digital communication system that includes a burst signal" (emphasis added) as amended claim 1 recites, or "a burst signal in a digital communication system that is included in a radio signal" (emphasis added) as amended claim 6 recites. To establish a *prima facie* case of anticipation, all of the limitations of the claims at issue must be found

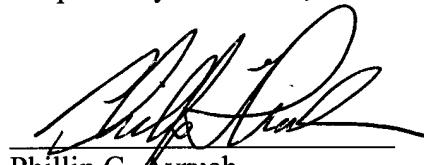
in the applied prior art reference. The Examiner's arguments in the Advisory Action do not address the fact that the signal which is being demodulated in Barany is an analog TV signal (see Figs. 4A-4D), while the claims now explicitly require demodulation of a signal in a digital communication system. The difference is significant. It would be clear to one skilled in the art that Barany's teachings cannot be applied so as to result in the presently claimed invention.

The Applicant continues to take the position that other elements identified by the Examiner in Barany also fail to correspond to those recited in the claims. In support, the arguments made by the Applicant in the Request for Consideration dated May 25, 2004 are incorporated by reference as though fully set forth herein.

For at least the forgoing reasons, it is respectfully submitted that the application as now amended is in condition for allowance. Entry of this Amendment and allowance of claims 1-20 is respectfully requested.

Should the Examiner believes that an interview would be helpful in resolving any open issues regarding this application, the Examiner is respectfully invited to call the undersigned attorney to schedule such an interview.

Respectfully submitted,



June 28, 2004

Date

Phillip G. Avruch
Registration No. 46,076
RABIN & BERDO, P.C.
Telephone : (202) 371-8976
Telefax : (202) 408-0924
Customer No. 23995

PGA/

AMENDMENT

(09/638,920)